

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 2, 5, 11, and 12 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 2, and 5-12 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) the amendment of claims 1, 2, and 5-12 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or

(b) the amendment of claims 1, 2, and 5-12 do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §112

In the Office Action at page 2, claims 1, 2, and 5-12 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested.

Independent claims 1, 11, and 12 have been amended to clarify the use of the word "collation," and dependent claim 5 has been amended to eliminate the word "uncollated" Accordingly, Applicants respectfully request that these rejections be withdrawn.

REJECTION UNDER 35 U.S.C. §101

In the Office Action at page 2, claim 11 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. This rejection is traversed and reconsideration is requested.

Claim 11 has been amended to recite, in relevant part, "[a] book management method for managing book stocks of a plurality of libraries wherein the plurality of libraries and a book wholesaler are interconnected by a network." Accordingly, Applicants respectfully request the rejection be withdrawn.

REJECTION UNDER 35 U.S.C. §103

In the Office Action at page 3, claims 1, 6, 8, 11, and 12 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 4,153,931 to Green, et al in view of "MIT Report to the President 1994-1995" ("MIT Report") and U.S. Patent No. 6,669,832 to Saito, et al. The reasons for the rejection are set forth in the Office Action and therefore not repeated. This rejection is traversed and reconsideration is requested.

Applicants respectfully submit that Green, et al teaches only a document control and inventory system for use in libraries, where each borrower and item in the library is given a unique identifier, and borrowing records are centralized. As acknowledged at page 3 of the Office Action, "Green, et al do[es] not show managing order information, ordering, receiving collation information, or transmitting received collation information to the vendor."

The MIT Report teaches only creating a searchable database with "USMARC format bibliographic records, complete with electronic location and access information, for Internet-accessible materials" and states that MIT has eliminated their manual order file, as "[a]ll orders were either converted to online orders or canceled." Thus, Applicants respectfully submit that the MIT Report fails to teach or suggest "ordering information management means for managing ordering information on books newly ordered from the individual libraries," or "ordering means

for placing an order with a book wholesaler, based on the ordering information managed by the ordering information management means," as recited in independent claim 1. Independent claims 11 and 12 include similar features.

Applicants respectfully submit that Saito, et al. was, at the time the invention of the present application was made, assigned to Fujitsu Limited and the present application was under obligation of assignment to Fujitsu Limited. See MPEP 706.02(I)(2). Accordingly, Applicants respectfully submit that Saito, et al. is not prior art against the present application. Even if Saito, et al. were valid prior art, Saito, et al. still fails to teach or suggest "collation information receiving means for receiving collation information derived when a book ordered by the ordering means is accessioned by a corresponding library," and "collation information transmitting means for transmitting the collation information received by the collation information receiving means to the wholesaler."

For at least these reasons, Applicants respectfully submit that Green, et al., the MIT Report, and Saito, et al. fail to teach or suggest all of the features of the present invention. Accordingly, Applicants respectfully submit that amended independent claims 1, 11, and 12, and all claims depending either directly or indirectly therefrom, patentably distinguish over the prior art and are in condition for allowance.

In the Office Action at pages 4-7, claims 1,2, 5, 6, and 8-12 were rejected under 35 U.S.C. §103 as being unpatentable over Epixtech in view of Green, et al. in view of the MIT Report. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Epixtech teaches only a "Resource Sharing System" which "automates the borrowing and lending activity within a library by linking with local systems, remote library catalogs, messaging utilities, and commercial document suppliers using industry standards and protocols." Epixtech only broadly teaches automating borrowing and lending activity, but does not teach or suggest "ordering means for placing an order with a book wholesaler, based on the ordering information managed by the ordering information management means," as recited in independent claim 1. Further, Epixtech, Green, et al. and the MIT Report, taken alone or in combination, fail to teach or suggest "collation information receiving means for receiving collation information derived when a book ordered by the ordering means is accessioned by a corresponding library," or "collation information transmitting means for transmitting the collation information received by the collation information receiving means to the wholesaler," as recited

in independent claim 1. For at least these reasons, Applicants respectfully submit that independent claims 1, 11, and 12 and those claims depending either directly or indirectly therefrom patentably distinguish over the prior art and are in condition for allowance.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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